



6. At the same time, Robert Blouin was the driver of a 1999 Kenworth truck, owned by the Defendant, also traveling westbound on Route 15 in Essex, Vermont.

7. At the time, Robert Blouin was an employee of Defendant, operating Defendant's truck in the course of his employment with Defendant.

8. At approximately 10:00 a.m., Mr. Bressler stopped his vehicle at a traffic light near the intersection of Route 15 and the entrance ramp to I-289.

9. While the Bresslers were stopped at the traffic light, Robert Blouin drove Defendant's truck into the rear end of the Bresslers' vehicle.

10. Robert Blouin advised that an investigating police officer that, prior to rear-ending the Plaintiffs' vehicle, he has been looking in his rear view mirrors to check his load.

11. As a result of the December 2, 2002 collision, Robert Blouin was issued a warning for violating 23 V.S.A. §1039 (following too closely).

12. Robert Blouin failed to operate Defendant's vehicle in a careful and prudent manner.

13. Defendant, thorough the conduct of its employee, Robert Blouin, breached its duty of due care to Plaintiffs.

14. Defendant is liable for Robert Blouin's negligent operation of Defendant's truck on December 2, 2002.

15. Defendant is liable to Plaintiffs for damages sustained as a result of the collision.

16. As a result of Defendant's negligence, Plaintiffs suffered damages, including but not limited to, permanent physical injuries, physical pain, emotional suffering, loss of enjoyment of life, medical expenses, and lost income.

17. As a result of Defendant's negligence, Plaintiff Steven Bressler has suffered lost consortium of his wife, Beverly.

**WHEREFORE**, Plaintiff requests that the Court:

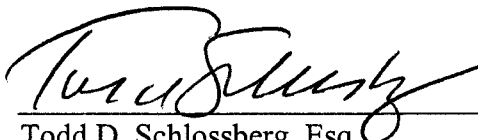
1. Enter judgment in Plaintiffs favor;
2. Award Plaintiffs compensatory damages in the amount determined by the jury;
3. Award Plaintiffs pre-judgment interest on all readily ascertainable damages, including medical expenses and lost income; and
4. Award Plaintiffs their costs of suit.

**DEMAND FOR JURY TRIAL**

Pursuant to Fed. R. Civ. P. 38(b), Plaintiffs demand a trial on all issues triable as of right by a jury.

Dated at Burlington, Vermont, this 30<sup>th</sup> day of November, 2005.

BEVERLY BRESSLER and  
STEVEN BRESSLER

By:   
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